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5 Attorneys for Plaintiff
3381 KATELLA AVENUE, LLC

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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 3381 KATELLA AVENUE, LLC, a)
11 California Limited Liability Company,)

12 Plaintiff,)

13 vs.)

14 9980 GRINDLAY PARTNERS, MARK F.)
WARDLE, BETTY L. WARDLE, SCOTT)
15 AVENT, DIANNA RANDAZZO, ALISSA)
BASHMAKIAN, HAGOP BASHMAKIAN,)
16 ARTASHES BASHMAKIAN, HRATCH)
BASHMAKIAN, JOHN F. ROBINSON,)
17 CLARA J. ROBINSON, LOS ALAMITOS)
MANAGEMENT COMPANY, INC., BERT)
18 BERNHEIM, BERNHEIM ASSOCIATES,)
GRANADA ONE HOUR CLEANERS,)
19 JOHN ROBERTSON dba GRANADA ONE)
HOUR CLEANERS, KWANG IN LIM dba)
20 GRANADA ONE HOUR CLEANERS,)
SANG SOO NE dba GRANADA ONE)
21 HOUR CLEANERS,)

22 Responsible Party)
23 Violators.)
24

CASE NO.

NOTICE OF INTENT TO SUE

42 U.S.C. §6972(a)(1)(B)
and (b)(2)(A)

40 C.F.R. §254

42 U.S.C. §9601, et seq.

25 Please take notice 3381 KATELLA AVENUE, LLC, a California Limited Liability
26 Company ("Complainant"), alleges it is the legal owner of the real property located at 3380 Katella
27 Avenue, Los Alamitos, California ("Impacted Site"), and further claims:

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I.

ALLEGED VIOLATORS

To the following persons and entities and/or their registered agents and representatives of record:

1. 9980 GRINDLAY PARTNERS, a California General Partnership in good status conducting business in California;
2. MARK F. WARDLE, an individual and General Partner of 9980 GRINDLAY PARTNERS residing and doing business in California;
3. BETTY L. WARDLE, an individual and General Partner of 9980 GRINDLAY PARTNERS residing and doing business in California;
4. SCOTT AVENT, an individual and General Partner of 9980 GRINDLAY PARTNERS residing and doing business in California;
5. DIANNA RANDAZZO, an individual and General Partner of 9980 GRINDLAY PARTNERS residing and doing business in California;
6. ALISSA BASHMAKIAN, an individual residing and doing business in California;
7. HAGOP BASHMAKIAN, an individual residing and doing business in California;
8. ARTASHES BASHMAKIAN, an individual residing and doing business in California;
9. HRATCH BASHMAKIAN, an individual residing and doing business in California;
10. JOHN F. ROBINSON, an individual residing and doing business in California;
11. CLARA J. ROBINSON, an individual residing and doing business in California;
12. LOS ALAMITOS MANAGEMENT COMPANY, INC., a suspended California corporation;

- 1 13. BERT BERNHEIM, an individual residing and doing business in California;
2 14. BERNHEIM ASSOCIATES, a business organization of unknown type or
3 status doing business in California;
4 15. GRANADA ONE HOUR CLEANERS, a business organization of unknown
5 type or status doing business in California;
6 16. JOHN ROBERTSON, an individual previously doing business as
7 GRANADA ONE HOUR CLEANERS; and,
8 17. KWANG IN LIM, an individual previously doing business as GRANADA
9 ONE HOUR CLEANERS; and,
10 18. SANG SOO NE, an individual currently doing business as GRANADA ONE
11 HOUR CLEANERS.

12 Pursuant to the notification requirements set forth in §7002 of the Solid Waste
13 Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42
14 U.S.C. §6972(b)(2)(A), Complainant hereby notifies all parties named above of its intention to file a
15 lawsuit in court(s) of competent jurisdiction, against past and present adjacent owners and/or
16 operators which have contributed to the handling, storage, treatment, transportation and/or disposal
17 of liquid, solid, and hazardous wastes which may present an imminent and substantial endangerment
18 to health or the environment in violation of the standards of RCRA, 42 U.S.C. §6972(a)(1)(A) and
19 (B).

20 II.

21 SPECIFIC PERMIT, STANDARD, REGULATION, CONDITION,
22 REQUIREMENT, OR ORDER ALLEGEDLY VIOLATED

23 Complainant alleges that since approximately 1970 the alleged violators, and each of
24 them, stored liquid, solid and hazardous wastes, including but not limited to: Tetrachloroethylene
25 ("PCE"); Trichloroethylene ("TCE"); Total Petroleum Hydrocarbons ("TPH"), Benzene and
26 Ethylbenzene; and other hazardous substances and wastes and other contaminants, all regulated
27 under RCRA, in places including but not limited to: open-loop dry cleaning equipment/systems;
28 closed-loop dry cleaning equipment/systems; aboveground drums, barrels and other storage

1 containers; aboveground storage tanks; aboveground pipe lines; dispensing systems; degreasers;
2 sumps; surface impoundments; surface gutters; surface troughs; clarifiers; slab drains; sewer laterals;
3 holding basins and other facility receptacles at, or adjacent to, the property located at 3391 Katella
4 Avenue, Los Alamitos, California (the "Source Site"). Complainant further alleges the alleged
5 violators owned and/or operated a treatment, storage and/or disposal facility (as defined by RCRA)
6 in that they stored and/or disposed of liquid, solid and hazardous wastes and other contaminants in
7 places including but not limited to: open-loop dry cleaning equipment/systems; closed-loop dry
8 cleaning equipment/systems; aboveground drums, barrels and other storage containers; aboveground
9 storage tanks; aboveground pipe lines; dispensing systems; degreasers; sumps; surface
10 impoundments; surface gutters; surface troughs; clarifiers; slab drains; sewer laterals; holding basins
11 and other facility receptacles at, or adjacent to, the Source Site.

12 In so doing, the alleged violators violated permits, standards, regulations, conditions,
13 requirements, prohibitions and/or orders pertaining to the storage and/or disposal of liquid, solid and
14 hazardous wastes, including, without limitation, regulations pertaining to "solid" waste disposal. In
15 turn, the activities of these entities have violated at least the following provisions of RCRA, 42
16 U.S.C. §§6921, 6922, 6924, 6925, 6927, 6928, 6930, 6936, 6939, 6939a, 6943, 6945, 6991,
17 6991(a)-(d); and 40 C.F.R. §§ 254, 257, 261.2, 262 et seq., 262.20-23, 262.30-33, 262.34(a)-(d),
18 262.44, 264 et seq., 265 et seq., 266.100, 268.4, 268.6, 270 et seq., 280.12 et seq.; and, all other
19 related statutes and regulations.

20 III.

21 **ACTIVITIES ALLEGED TO CONSTITUTE VIOLATIONS OF RCRA**

22 Complainant alleges that since at least approximately 1970 until the present, the
23 alleged violators stored at one time or another liquid, solid and hazardous wastes, including but not
24 limited to: Tetrachloroethylene ("PCE"); Trichloroethylene ("TCE"); Total Petroleum Hydrocarbons
25 ("TPH"), Benzene and Ethylbenzene, and other hazardous substances and wastes and other
26 contaminants -- all regulated under RCRA -- in places including but not limited to open-loop dry
27 cleaning equipment/systems; closed-loop dry cleaning equipment/systems; aboveground drums,
28 barrels and other storage containers; aboveground storage tanks; aboveground pipe lines; dispensing

1 systems; degreasers; sumps; surface impoundments; surface gutters; surface troughs; clarifiers; slab
2 drains; sewer laterals; holding basins and other facility improvements at the Source Site. On
3 occasion, the waste storage containers, devices, and other improvements were leaking, discharging
4 and disposing of the liquid, solid and hazardous wastes and other contaminants stored in them into
5 the soil and groundwater at and beneath the Source Site and extending beneath surrounding areas.
6 Since the date the waste storage containers, devices and other improvements began to leak, discharge
7 and dispose of the liquid, solid and hazardous wastes and other contaminants stored in them, said
8 wastes have been disposed, discharged, released, spilled, leaked, leached and/or migrated into the
9 soil and groundwater at and beneath the Source Site and migrated onto the adjacent Impacted Site.
10 Thereafter, continuing to the present, said liquid, solid and hazardous wastes from the Source Site
11 have leached, migrated and caused damage, including the contamination of the soil and groundwater
12 at, beneath and adjacent to the Impacted Site.

13 Complainant alleges that the alleged violators have handled, stored, treated,
14 transported and/or disposed of solid and hazardous wastes at the Source Site in a manner which
15 caused those wastes to contaminate the soil and groundwater at, beneath and adjacent to the
16 Impacted Site and thus caused an imminent and substantial endangerment to health or the
17 environment.

18 IV.

19 PERSON OR PERSONS RESPONSIBLE

20 FOR THE ALLEGED VIOLATIONS OF RCRA

21 Complainant alleges that the parties responsible for the RCRA violations alleged
22 hereinabove include, but are not limited to, each of the persons named Section I above.

23 V.

24 DATE OR DATES OF THE ALLEGED VIOLATIONS OF RCRA

25 Complainant alleges that the RCRA and other violations on the Source Site alleged
26 hereinabove began sometime after 1970 and continue through the present time. The following
27 entities (or their predecessors in interest and/or affiliates) were on the Site, or controlling operations
28 on the Source Site, as owners and/or operators during the following approximate violation periods:

Name	Status	Owner/Operator Period
Bernheim Associates	Owner	1967-1979
John F. Robinson and Clara J. Robinson	Co-Owners	1979-1994
Los Alamitos Management Company, Inc.	Owner	1994-1995
John F. Robinson and Clara J. Robinson	Co-Owners	1995-1998
Hagop Bashmakian	Owner	1998
Alissa Bashmakian	Owner	1998-2002
Artashes Bashmakian	Owner	1998-2002
Hratch Bashmakian	Owner	1998-2002
9980 Grindlay Partners	Owner	2002-Present
Mark F. Wardle	Owner/Operator	2002-Present
Betty L. Wardle	Owner/Operator	2002-Present
Scott Avent	Owner/Operator	2002-Present
Dianna Randazzo	Owner/Operator	2002-Present
Granada One Hour Cleaners	Operator	1970-Present
John Robertson dba Granada One Hour Cleaners	Operator	1970-1990
Kwang In Lim dba Granada One Hour Cleaners	Operator	1990-2000
Sang Soo Ne dba Granada One Hour Cleaners	Operator	2000-Present

VI.

NAME, ADDRESSES AND TELEPHONE NUMBER OF PERSON GIVING NOTICE

This notice is sent on behalf of the Complainant listed on page 1. All communications are to be directed to:

Thomas J. Bois II, Esq.
BOIS & MACDONALD
2030 Main Street, Suite 660
Irvine, California 92614
Telephone: 949/660-0011; Facsimile: 949/660-0022
E-mail: tbois@boismac.com

VII.

CLAIMS RESOLUTION

ANY REGULATORY AGENCY SEEKING TO COMPEL THE ALLEGED VIOLATORS' COMPLIANCE ARE DIRECTED TO DO SO AND PROVIDE NOTIFICATION TO COMPLAINANT WITHIN NINETY (90) DAYS.

ANY PERSON OR ENTITY ALLEGED TO BE A VIOLATOR SEEKING TO COMPROMISE THIS CLAIM BY WRITTEN AGREEMENT AND AVOID FURTHER SUIT AND THE INCURRENCE OF ATTORNEYS' FEES AND EXPERT FEES IS DIRECTED TO DO SO AND PROVIDE NOTIFICATION TO COMPLAINANT WITHIN NINETY (90) DAYS.

IF NO SUCH NOTIFICATION(S) IS RECEIVED, COMPLAINANT WILL INITIATE A CIVIL ACTION UNDER 42 U.S.C. §9601 ET SEQ. AGAINST SAID ENTITIES AND/OR INDIVIDUALS.

DATED: April 28, 2015

BOIS & MACDONALD

By: _____



THOMAS J. BOIS, II
Attorneys for Plaintiff
3381 KATELLA AVENUE, LLC

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3381 KATELLA AVENUE, LLC NOTICE OF INTENT TO SUE

X by placing the document(s) listed above in a sealed envelope, **Certified Mail – Return Receipt Requested** with postage thereon fully prepaid, in the United States mail at Irvine, California addressed as set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on April 28, 2015 at Irvine, California.

238-10221
22252

Service List
3381 Katella Avenue, LLC v. 9980 Grindlay Partners, et al.

9980 GRINDLAY PARTNERS A California General Partnership	MARK F. WARDLE MANAGING GENERAL PARTNER 9980 GRINDLAY PARTNERS 5146 EDMONT CIRCLE CYPRESS, CA 90630-2915
MARK F. WARDLE, Trustee PARTNER FAMILY TRUST, GENERAL PARTNER, 9980 GRINDLAY PARTNERS	MARK F. WARDLE, TRUSTEE C/o 9980 GRINDLAY PARTNERS 5146 EDMONT CIRCLE CYPRESS, CA 90630-2915
BETTY L. WARDLE, Trustee PARTNER FAMILY TRUST, GENERAL PARTNER, 9980 GRINDLAY PARTNERS	BETTY L. WARDLE, TRUSTEE C/o 9980 GRINDLAY PARTNERS 5146 EDMONT CIRCLE CYPRESS, CA 90630-2915
SCOTT AVENT, an Individual, GENERAL PARTNER, 9980 GRINDLAY PARTNERS	SCOTT AVENT C/o 9980 GRINDLAY PARTNERS 5146 EDMONT CIRCLE CYPRESS, CA 90630-2915 10425 TEAL CIRCLE R FOUNTAIN VALLEY, CA 92708- 7448
DIANNA RANDAZZO, an Individual, GENERAL PARTNER, 9980 GRINDLAY PARTNERS	DIANNA RANDAZZO C/o 9980 GRINDLAY PARTNERS 5146 EDMONT CIRCLE CYPRESS, CA 90630-2915 7470 LOVERS LANE HOLLISTER, CA 95023-9476
ALISSA BASHMAKIAN, an Individual	ALISSA BASHMAKIAN 541 N. 3 RD STREET MONTEBELLO, CA 90640-3635

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HAGOP BASHMAKIAN, an Individual	HAGOP BASHMAKIAN 541 N. 3 RD STREET MONTEBELLO, CA 90640-3635
ARTASHES BASHMAKIAN, an Individual	ARTASHES BASHMAKIAN 4966 E. STEARNS STREET LONG BEACH, CA 90805-2524
HRATCH BASHMAKIAN, an Individual	HRATCH BASHMAKIAN 877 GUANAJUATO DRIVE CLAREMONT, CA 91711-1541
JOHN F. ROBINSON, an Individual	JOHN F. ROBINSON 6461 WALT STREET WESTMINSTER, CA 92683-3613
JOHN ROBINSON, an Individual and dba GRANADA ONE HOUR CLEANERS	JOHN ROBINSON dba GRANADA ONE HOUR CLEANERS 6461 WALT STREET WESTMINSTER, CA 92683-3613
CLARA J. ROBINSON, an Individual	CLARA J. ROBINSON 6461 WALT STREET WESTMINSTER, CA 92683-3613
LOS ALAMITOS MANAGEMENT COMPANY, INC., A SUSPENDED CALIFORNIA CORPORATION	LOS ALAMITOS MANAGEMENT COMPANY, INC. Attn. PAUL SALGADO, REGISTERED AGENT 1025 PALO VERDE AVE., #11 LONG BEACH, CA 90815
BERT BERNHEIM, an Individual and dba BERNHEIM ASSOCIATES	BERT BERNHEIM 1024 VIA NUEVA LAFAYETTE, CA 94549-2726
KWANG IN LIM, an Individual and dba GRANADA ONE HOUR CLEANERS	KWANG IN LIM 8318 OTTO STREET DOWNEY, CA 90240-3925
SANG SOO NE, an Individual and dba GRANADA ONE HOUR CLEANERS	SANG SOO NE 3391 KATELLA AVENUE LOS ALAMITOS, CA 92649

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**

**U.S. ENVIRONMENTAL
PROTECTION AGENCY**
GINA MCCARTHY
ADMINISTRATOR
U.S. ENVIRONMENTAL
PROTECTION AGENCY
1200 PENNSYLVANIA AVE., N.W.
WASHINGTON, D.C. 20460

**UNITED STATES DEPARTMENT
OF JUSTICE**

**UNITED STATES DEPARTMENT
OF JUSTICE**
LORETTA LYNCH
UNITED STATES ATTORNEY
GENERAL
DEPARTMENT OF JUSTICE
10TH & CONSTITUTION, N.W.
WASHINGTON, D.C. 20530

**U.S. ENVIRONMENTAL
PROTECTION AGENCY-
REGION IX**

**U.S. ENVIRONMENTAL
PROTECTION AGENCY-
REGION IX**
JARED BLUMENFELD
REGIONAL ADMINISTRATOR
U.S. ENVIRONMENTAL
PROTECTION AGENCY-
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105-3901

**CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL**

**CALIFORNIA DEPARTMENT OF
TOXIC SUBSTANCES CONTROL**
BARBARA A. LEE
DIRECTOR-CALIFORNIA
DEPARTMENT OF TOXIC
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400 P STREET, 4TH FLOOR
P.O. BOX 806
SACRAMENTO, CA 95812-0806

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**REGIONAL WATER QUALITY
CONTROL BOARD – LOS ANGELES
REGION**

**REGIONAL WATER QUALITY
CONTROL BOARD – LOS
ANGELES REGION**
TRACY EGOSCUE
EXECUTIVE OFFICER
REGIONAL WATER QUALITY
CONTROL BOARD
LOS ANGELES REGION
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SUITE 200
LOS ANGELES, CA 90013

**REGIONAL WATER QUALITY
CONTROL BOARD – LOS ANGELES
REGION**

**REGIONAL WATER QUALITY
CONTROL BOARD – LOS
ANGELES REGION**
ARTHUR HEATH
SECTION HEAD - REMEDIATION
REGIONAL WATER QUALITY
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